

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: JOSE E. VEGA RAMIREZ AGNES E. RIVERA SANCHEZ DEBTOR(S)	CASE NUMBER: 07-04202 BKT CHAPTER 13 ASSET CASE
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DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Debtor is retired and his income change and report new expenses in order to comply with their duties as chapter 13 debtors.

3. Debtor (s) amend plan call twenty nine (29) payments of \$450.00, one (1) payment of \$0.00, one (1) payment of \$0.00, one (1) payment of \$900.00, one (1) payment of \$0.00, one (1) payment of \$2,250.00, one (1) payment of \$450.00, one (1) payment of \$950.00, one (1) payment of \$450.00, one (1) payment of \$950.00, two (2) payments of \$450.00, one (1) payment of \$500.00, one (1) payment of \$450.00, one (1) payment of \$900.00, one (1) payment of \$0.00 and sixteen (16) payments of \$300.00 and lump sum payment for \$8,000.00 for a total base of \$35,300.00 dollars with a provision for the payment to paid secured arrears to Banco Popular, account ending number-4289 and full payment of CRIM, account ending number-2641.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

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DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 7th, day of April, 2011.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA

USDC PR 214711
P.O. Box 19559
San Juan, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144
E-mail valdeslaw@prtc.net

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. **07-04202 (BKT)**

VEGA RAMIREZ, JOSE EDUARDO & RIVERA SANCHEZ, AGNES ENEL

Chapter **13**

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **4/07/2011**

Filed by: ☐ Debtor ☐ Trustee ☒ Other

I. PAYMENT PLAN SCHEDULE

\$ **450.00** x **29** = \$ **13,050.00**
\$ **0.00** x **1** = \$ **0.00**
\$ **900.00** x **1** = \$ **900.00**
\$ **450.00** x **1** = \$ **450.00**
\$ **2,250.00** x **1** = \$ **2,250.00**
See attachment = \$ **10,650.00**
TOTAL: \$ 27,300.00

Additional Payments:

\$ **8,000.00** to be paid as a LUMP SUM
within **50 months** with proceeds to come from:

☐ Sale of Property identified as follows:

☒ Other:

Income from retirement (Ley 80)

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ **35,300.00**

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ **2,000.00**

Signed: **/s/ JOSE EDUARDO VEGA RAMIREZ**
Debtor

/s/ AGNES ENEL RIVERA SANCHEZ
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. BPPR	Cr.	Cr.
# 174289	#	#
\$ 24,396.71	\$	\$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. CRIM	Cr.	Cr.
# 00952641	#	#
\$ 193.07	\$	\$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

BPPR

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor **Makilyn Valdes Ortega Law Offices**

Phone: **(787) 758-4400**

AMENDED CHAPTER 13 PAYMENT PLAN

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

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TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR 11 USC 330.**FAILURE TO TIMELY OBJECT TO THIS PLAN CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT UNDER 11 USC 1325(a)(5).****ANY POST PETITION INCOME TAX REFUND THAT DEBTOR(S) WOULD BE ENTITLED TO RECEIVE DURING THE TERM OF THE PLAN WILL BE USED TO FUND THIS PLAN. AFTER ITS CONFIRMATION, AND WITHOUT FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY THE INCREMENT(S) TO ITS BASE, IN AN AMOUNT EQUAL TO THE AMOUNT OF EACH INCOME TAX REFUND.****ADEQUATE PROTECTION PAYMENT TO BPPR MORTGAGE IS THE EQUITY OF THE HOUSE.****AFTER CONFIRMATION EQUAL MONTHLY PAYMENT TO BPPR IN THE AMOUNT OF \$ 405.00****TRUSTEE RETAINS JURISDICTION UPON DEBTOR'S SUIT AGAINST AMERICAN RANGER D/B/A RANGER OF AMERICA. ANY OUTCOME WILL BE DEPOSITED WITH THE TRUSTEE .****POST PETITION ARREARS AND LATE FEES (SIX MONTHS) IN THE AMOUNT OF \$5,353.86 TO BPPR****DEBTOR SURRENDER SAVINGS AND DIVIDENDS TO AEELA**

Cont. Payment Plan Schedule

\$450.00	x 1	=	\$450.00
\$950.00	x 1	=	\$950.00
\$450.00	x 1	=	\$450.00
\$950.00	x 1	=	\$950.00
\$450.00	x 2	=	\$900.00
\$500.00	x 1	=	\$500.00
\$450.00	x 1	=	\$450.00
\$900.00	x 1	=	\$900.00
\$ 0.00	x 1	=	\$ 0.00
\$300.00	x 16	=	\$4,800.00

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

07-04202-BKT13 Notice will be electronically mailed to:

JOSE RAMON CARRION MORALES
newecfmail@chl3-pr.com

MONSITA LECAROS ARRIBAS
ustpreregion21.hr.ecf@usdoj.gov

VIVIAN ORTIZ PONCE on behalf of Creditor BPPR AS SERVICING AGENT OF MASS
MUTUAL vortiz@cardonalaw.com, vivian.ortiz@ymail.com

MICHELLE RIVERA COLON on behalf of Creditor AEELA
bufeteriveracoln@hotmail.com

JORGE ANDRES RODRIGUEZ FRATICELLI on behalf of Creditor R&G MORTGAGE
CORPORATION jf@cardonalaw.com

MARILYN VALDES ORTEGA on behalf of Debtor JOSE EDUARDO VEGA RAMIREZ
valdeslaw@prtc.net

I HEREBY CERTIFY: That I have mailed by regular mail to all creditors listed.

07-04202-BKT13 Notice will not be electronically mailed to:

AAA
PO BOX 70101
SAN JUAN, PR 00936-8101

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918

ACS
PO BOX 7060
UTICA, NY 13504-7060

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

AEELA
P.O. BOX 364508
SAN JUAN, PR 00936-4508

ISLAND FINANCE
PO BOX 2803
BAYAMON, PR 00960-2803

AUTORIDAD DE ENERGIA ELECTRICA DE
PR
PO BOX 363508
SAN JUAN, PR 00936-3508

JC PENNEY
PO BOX 364788
SAN JUAN, PR 00936-4788

BPPR
AVE. PIÑERO #280
HATO REY, PR 00918

JOYERIA GORDONS
255 AVE PONCE DE LEON
SUITE A-295
SAN JUAN, PR 00917-1901

CINGULAR WIRELESS
P.O. BOX 192830
SAN JUAN, PR 00919-5369

PR TELEPHONE CO
PO BOX 360998
SAN JUAN, PR 00936-0998

CRIM
PO BOX 195387
SAN JUAN, PR 00919-5387

SPRINT
PO BOX 219554
KANSAS CITY, MO 64121-9554

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424 B
SAN JUAN, PR 00902